ceeding 40 s. with the charges; and, for the ſecond offence, any ſum not exceeding 5 l. with the charges; and, for the third offence, are to be puniſhed as incorrigible rogues.

Power is given to Juſtices of the peace to put this act in execution; and, where the reſpective forfeitures ſhall not be paid down on conviction, the offenders may be committed to hard labour; for the firſt offence for one month, and to be once whipped; and for the ſecond offence for three months, and to be thrice whipped.

Perſons hindering, or attempting to prevent, ſeizing offenders, forfeit 10 l. to the perſon convicting them; and, if not paid down, are to be committed to hard labour, not exceeding ſix months.

Forfeitures, not otherwiſe directed, are to go one moiety to the informer, and the other to the perſon aggrieved. Convictions are to be certified to the general quarter-ſeſſions, and filed, and the conviction is not liable to be quaſhed for want of form, or to be removed.

Abſtract of an ACT *for encouraging the Cultivation, and for the better Preſervation, of* Trees, Roots, Plants, *and* Shrubs.

DIVERS perſons having of late years wilfully and maliciouſly cut down, barked, or otherwiſe deſtroyed, timber-trees, to the great detriment of the owners, and to the diſcouragement of planting in general, ſo beneficial to Great Britain; and many evil-diſpoſed perſons having frequently entered into nurſeries, gardens, &c. and carried away roots, ſhrubs, and plants, and deſtroyed others on the ſpot, which nurſery-men, gardeners, &c. had collected and cultivated at great expence, ſupporting themſelves and many others of his Majeſty's ſubjects by importing from, and exporting the ſame to, other countries; it is therefore hereby enacted, That, from and after the 2d day of June, 1766, the penalty on cutting down, ſpoiling, carrying away, &c. in the night-time, any oak or other timber-trees; or roots, ſhrubs, or plants, of 5 s. value, in any garden, nurſery, or incloſed ground; is felony.

The Court is impowered to tranſport the offender for ſeven years; and the aiders and abettors therein, and perſons who ſhall buy or receive ſuch roots, ſhrubs, or plants, knowing the ſame to be ſtolen, are liable to like puniſhment as if they had ſtolen the ſame.

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PREFACE,

AND

ILLUSTRATION of the FRONTISPIECE.

IT is cuſtomary, with thoſe who write Prefaces, to anticipate the benevolence of the Public, by laying before them the plan or deſign of their work, the motives that induced them to bring it into execution, the utility it claims over all preceding or ſimilar performances of the kind, and, if it ſtrikes out ſome new light, the excellency or accuracy of the invention. Preliminaries of this nature ſerve uſually to expoſe the vanity of an Author, and, inſtead of excuſing his faults, furniſh out, very often, new reflections againſt him; becauſe a ſelf-juſtification, generally bordering upon a ſelf-praiſe, argues either ſomething deficient, or the want of a due deference to the ſuperior judgment of others. They may, however, ſerve ſome very good purpoſes, by raiſing the Reader's hopes, that he will find many things worthy of his attention.

BUT the writers of ſuch periodical works as Magazines, cannot, without treſpaſſing upon the rules of decorum, court the approbation of the Public in this manner. Their plan, and the execution of it, are already known, depending intirely on their imitation of the induſtrious Bee, by ſipping honey from every flower; that is, by recording the moſt intereſting occurrences, and giving abſtracts of, and extracts from, all ſuch publications as ſeem moſt deſerving of notice throughout the courſe of the month: So that all the merit they can pretend to, is, the light the Public have been pleaſed to conſider their endeavours in, by favourably accepting them.

30790

THIS is all we vindicate to ourſelves, having hitherto had our ſhare of the Public favour, for which we return thanks; tho', indeed, it has been our conſtant ſtudy to deſerve this approbation in more reſpects than one; for, beſides the trite and common way of uſhering Magazines into the world, we have always ſought to diſtinguiſh ours by ſomething new, either as Originals, or Tranſlations from the neweſt foreign books in various languages. Add to this, that our Engravings, of all ſorts, are done by maſterly hands, which has alſo proved a great means of bringing our Magazine into requeſt.

IN regard to the paſt or preſent ſtate of affairs in theſe realms, and the expediency of certain meaſures for the good of the Public, it is not our buſineſs to form any diſcuſſion concerning them. Whatever may be judged amiſs, whatever grievances may occaſion complaint, muſt be left to the wiſdom of our Legiſlature to redreſs. It is neceſſary for us to contract ourſelves within our own ſphere, making it our principal concern to find matter of good entertainment for our Readers, in the beſt manner we are able.

TO open a ſcene for the New Year, and the XXXVIIIth volume of our Magazine, we have formed an emblematical device for our Frontiſpiece,—of Time diſcovering the talents and genius of men, in arts, ſciences, and the different branches of literature: Hiſtory, inſpecting the ſcroll Time holds out to her, is ready with her pen to keep them upon record; and Fame, at top, ſounds forth the praiſes of ſuch as Time and Hiſtory have conſecrated, as worthy of remembrance, in their faithful regiſters. The little Genii on the ground-work expreſs, by their devices, other ways of recording the fame of illuſtrious men.

THE Diſcourſe, adapted to this Frontiſpiece, ſhews, that the genius and talents of mankind are chiefly influenced by the form of government in different countries.

THE